

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Police Dept. – Initiation of disciplinary action against Sri K.Moti Sagar, Commandant Home Guards, Eluru, for his corrupt practices in conducting promotion test in Home Guards – Appointment of Enquiry Officer and Presenting Officer – Orders – Issued.

HOME (SERVICES-I) DEPARTMENT

G.O.Rt.No. 416

Dated: 14/02/2013

Read the following:-

1. From the Director General of Police, A.P., Hyderabad, Letter No.486/O1/2012, dated 28.06.2012, and 03.10.2012
2. Govt.Memo.No.18217/Ser.I/A2/2012, dated 18.09.2012
3. From, Sri K.Moti Sagar, Comdt, Home Guards, Visakhapatnam, written statement of defence, dated 28.12.2012

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ORDER:

The Director General of Police, A.P., Hyderabad, in his letter 1st read above, has requested the Government to initiate disciplinary proceedings against Sri K.Moti Sagar, Commandant Home Guards, Visakhathanam Region, presently working at Eluru for corrupt practices in conducting promotion test in Home Guards, under Rule 20 of APCS (CC&A) Rules, 1991, for the reasons mentioned therein.

2. In the reference 2nd read above, Government issued a charge Memorandum against the said Sri K.Moti Sagar, Commandant Home Guards, Visakhathanam Region, presently working at Eluru, under rule-20 of APCS (CC&A) Rules, 1991, for the following delinquencies, calling for his written statement of defence thereon. He was directed to appear before the Prl. Secretary to Govt., Home Dept., **within (10) days** from the date of receipt of the said charge memo and submit his written statement of defence and state whether he desires to be heard in person. If he has **not submit** his written statement of defence and **failed to appear in person** before the disciplinary authority within the stipulated time, **further action will be taken ex-parte** based on the material available on record as per rules in force. It was also informed therein that **an inquiry will be held only in respect of the article of charge as which is not admitted as such they have been requested to, specifically admit or deny the article of charge.**

- (i) *Collected mounts through some Home Guards as his brokers for giving promotions as Section Commander (Rs.10,000/-), Platoon Commander (Rs.15,000/-) and Company Commander (Rs.20,000/-) by utilizing the services of Sri G.Yohan, HG-244 to get his illegal gratifications and further alleged that the remuneration was increased to Rs.50/- to Rs.70/, if any Home Guard promotion.*
- (ii) *Did not follow the norms in giving promotions basing on the existing strength of HGs and Selected the excess candidates without budget*
- (iii) *Gave promotions without observing the norms and also proceeded the illegal bills submitted by the Home Guards.*

3. In the reference 3rd read above, the charged officer has submitted his statement of **defence and denied the charges and requested to drop the further action against him**, for the reasons mentioned therein

4. Now, therefore, Government in exercise of the powers conferred sub-rule 2 read with clause (b) and (c) of sub-rule 5 of Rule 20 of APCS (CC&A) Rules, 1991, hereby appoint **Sri Alok Srivatsava, IPS (Retd), Member COI**, as the Inquiring Authority and Sri A.S.R.Krishna Rao, Advocate as the Presenting Officer to present the case before the Inquiring Authority.

6. The Presenting Officer appointed in para-4 above shall acquaint herself with the facts of the case by procuring the records relating to the case and present the case before the Inquiring Authority effectively on behalf of the Government. She shall also obtain and furnish records to the Inquiring Authority, if necessary which are required during the course of enquiry.

7. The Inquiring Authority shall conduct enquiry strictly in terms of the procedure prescribed under Rule 20 of APCS (CC&A) Rules, 1991 and shall submit his report to the Government in terms of clause (ii) of sub-rule 18 of the said rules, as expeditiously as possible and however it shall not be more than two months from the date of issue of these orders.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T.P.DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Alok Srivatsava, IPS (Retd.), Member COI &
Inquiry Authority, G.A. (COI.AS) Dept. (w.e)
Sri A.S.R. Krishna Rao, Advocate, Plot No.449, Flat No.101,
defence Colony, Vineyard Classic Sainikpuri, Secunderabad. (w.e)

Copy to:

Sri K.Moti Sagar, Commandant Home Guards, Eluru,
through DGP, AP., Hyderabad
The Director General of Police, A.P. Hyderabad
SF/SC

// FORWARDED :: BY ORDER//

SECTION OFFICER